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9
10 Attorneys for Plaintiff SYNOPSY and
11 Defendants AEROFLEX INCORPORATED,
12 AEROFLEX COLORADO SPRINGS, INC.,
13 AMI SEMICONDUCTOR, INC., MATROX
14 ELECTRONIC SYSTEMS, LTD., MATROX
15 GRAPHICS INC., MATROX
16 INTERNATIONAL CORP., and MATROX
17 TECH, INC.

13 | RICOH COMPANY, LTD.,

Case No. C03-4669 MJJ (EMC)

14 Plaintiff,

Case No. C03-2289 MJJ (EMC)

15 || vs.

**DECLARATION OF DENISE M. DE MORY
IN SUPPORT OF EXPEDITED MOTION
TO COMPEL ACCESS TO INFORMATION
ALLEGEDLY COVERED BY THE
PROTECTIVE ORDER, OR IN THE
ALTERNATIVE, TO DE-DESIGNATE
ALLEGEDLY CONFIDENTIAL
INFORMATION**

16 AEROFLEX INCORPORATED, AMI
17 SEMICONDUCTOR, INC., MATROX
18 ELECTRONIC SYSTEMS LTD., MATROX
19 GRAPHICS INC., MATROX
INTERNATIONAL CORP., MATROX TECH,
INC., AND AEROFLEX COLORADO
SPRINGS, INC.,

Defendants.

SYNOPSYS, INC.

Plaintiff

VS

RICOH COMPANY, LTD.

Defendant

1 I, Denise M. De Mory, declare as follows:

2 1. I am a partner at the law firm of Howrey LLP, counsel for Aeroflex Incorporated,
 3 Aeroflex Colorado Springs, AMI Semiconductor, Inc., Matrox Electronic Systems, Ltd., Matrox
 4 Graphics Inc., Matrox International Corp., and Matrox Tech, Inc. (collectively, the "Customer
 5 Defendants") and Synopsys, Inc. ("Synopsys") in this action. The following declaration is based on
 6 my personal knowledge. If called upon to testify, I could and would competently testify to the matters
 7 set forth below.

8 2. Attached hereto as Exhibit 1 is a true and correct copy of a letter dated June 1, 2006,
 9 from Kenneth Brothers to Denise De Mory.

10 3. Attached hereto as Exhibit 2 is a true and correct copy of an June 2, 2006 e-mail
 11 communication between Denise De Mory and Kenneth Brothers.

12 4. Attached hereto as Exhibit 3 is a true and correct copy of a document Bates numbered
 13 KBSC000001-KBSC000028.

14 5. Attached hereto as Exhibit 4 is a true and correct copy of a document Bates numbered
 15 RCL002694-RCL002928.

16 6. Attached hereto as Exhibit 5 is a true and correct copy of a document Bates numbered
 17 RCL001513-RCL001633.

18 7. Attached hereto as Exhibit 6 is true and correct copy of a document Bates numbered
 19 KBSC000225-KBSC000229.

20 Executed this 5th day of June, 2006, at San Francisco, California.

21 I declare under penalty of perjury under the laws of the United States of America that the
 22 foregoing is true and correct.

23
 24 _____
 25 /s/*Denise M. De Mory*
 26 Denise M. De Mory
 27
 28

EXHIBIT

1

D I C K S T E I N S H A P I R O M O R I N & O S H I N S K Y L L P

2101 L Street NW • Washington, DC 20037-1526

Tel (202) 785-9700 • Fax (202) 887-0689

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June 1, 2006

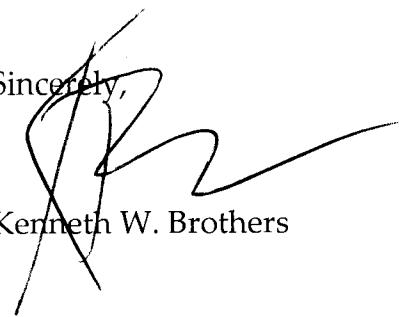
Via PDF

Denise DeMory
Howrey LLP
525 Market Street, Suite 3600
San Francisco, CA 94105-2708

Re: Ricoh v. Aeroflex, et al.
Synopsys v. Ricoh

Dear Denise:

We recently received a notice from your firm that you had retained Charles Van Horn as a potential expert witness. Mr. Van Horn is a partner with the Finnegan Henderson law firm in Washington D.C. As you have long been aware, the Finnegan Henderson firm represents Elan Microelectronics Corp., which has received warning letters from Ricoh regarding the '432 patent. See SP68389 (enclosed). Under these circumstances, we object to your retention and designation of Mr Van Horn.

Sincerely,

Kenneth W. Brothers

cc: Howrey distribution list



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Yitai.Hu@finnegan.com

May 27, 2003

Gary M. Hoffman, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street, N.W.
Washington, D.C. 20037-1526

Elan Microelectronics Corp.
Our Reference: 08488.0002-00000

Dear Mr. Hoffman:

We represent Elan Microelectronics Corp., and write to respond to your letter of April 25, 2003.

In your letter, you mentioned Elan's purported use of Synopsys' Design Compiler and then offered a license of U.S. Patent No. 4,922,432 assigned to Ricoh Company, Ltd. However, your letter is unclear as to the relationship between the Design Compiler and '432 patent. If you are alleging that Elan infringes the '432 patent through its use of the Design Compiler, we request that you provide us with a claim chart or similar analysis so that we may assess Ricoh's position and respond accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yitai Hu'.

YH;rel
cc: Elan Microelectronics Corp.

SP68389

EXHIBIT

2

DeMory, Denise

From: Brothers, Kenneth [BrothersK@dsmo.com]
Sent: Friday, June 02, 2006 8:43 AM
To: DeMory, Denise
Cc: Su, Henry; Fink, Jacky
Subject: RE: Van Horn

Denise:

Ricoh declines to withdraw its objection. We believe that Mr. Van Horn has a conflict of interest within his firm that should preclude him from accepting the proposed engagement as an expert witness. In addition, Ricoh does not want its confidential information to be disclosed to a law firm that is representing other parties that Ricoh has contacted regarding licensing the same patent.

Regards, Ken

Ken Brothers
Dickstein Shapiro Morin & Oshinsky LLP

From: DeMory, Denise [mailto:demoryd@Howrey.com]
Sent: Friday, June 02, 2006 11:37 AM
To: Brothers, Kenneth
Cc: Su, Henry
Subject: Van Horn
Importance: High

Ken:

With regard to your objection to Van Horn, based on our research it appears to be totally unfounded and improper. Indeed, the terms of the Protective Order itself, to which Van Horn has already agreed to be bound, more than adequately address your concerns. Notwithstanding this, Van Horn has agreed to set up an ethical wall whereby he would not have any involvement in Finnegan's defense of Elan Microelectronics against any allegations of infringement by Ricoh on the '432 patent. Will you withdraw your objections in view of the ethical wall? Obviously, I need a prompt response and note that you have not yet responded to Ms. Fink's e-mail on this topic from yesterday.

Regards,

Denise

This email and any attachments contain information from the law firm of Howrey LLP, which may be confidential. The information is intended to be for the use of the individual or entity named on this email. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this email is unauthorized. If you receive this email in error, please notify us by reply email immediately so that we can arrange for its deletion.

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To reply to our email administrator directly, send an email to postmaster@dsmo.com

Dickstein Shapiro Morin & Oshinsky LLP
<http://www.DicksteinShapiro.com>

EXHIBIT

3

Exhibit 3 to De
Mory
Declaration
Filed Under
Seal Pursuant to
Protective Order

EXHIBIT

4

Exhibit 4 to De
Mory
Declaration
Filed Under
Seal Pursuant to
Protective Order

EXHIBIT

5

Exhibit 5 to De
Mory
Declaration
Filed Under
Seal Pursuant to
Protective Order

EXHIBIT

6

Exhibit 6 to De
Mory
Declaration
Filed Under
Seal Pursuant to
Protective Order